

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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VICKY K. BATES,

Plaintiff,

v.

MICHAEL J. ASTRUE,

Defendant.

3:09-cv-00161-LRH-VPC

ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#14¹) entered on February 26, 2010, recommending granting Plaintiff's Motion for Reversal (#9) and denying Defendant's Cross Motion for Summary Judgment (#12). Defendant filed his Objection to Report and Recommendation by U.S. Magistrate Cooke (#16) on March 12, 2010, pursuant to 28 U.S.C. § 636(b)(1)(c) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Defendant, the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#14) entered on February 26, 2010, should be

¹Refers to court's docket number.

1 adopted and accepted.

2 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
3 (#14) entered on February 26, 2010, is adopted and accepted, and Plaintiff's Motion for Reversal (#9)
4 is GRANTED and Defendant's Cross Motion for Summary Judgment (#12) is DENIED.

5 IT IS SO ORDERED.

6 DATED this 17th day of January, 2011.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE